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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/054,245	01/24/2002	Douglas Ross Cardy	CCK94028	3727

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EXAMINER	
ESCALANTE, OVIDIO	

ART UNIT	PAPER NUMBER
2614	

DATE MAILED: 05/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/054,245	CARDY ET AL.	
	Examiner	Art Unit	
	Ovidio Escalante	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 February 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-54* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *1-10 and 32-39* is/are allowed.

6)☒ Claim(s) *11-13,22-24,26-31 and 40-54* is/are rejected.

7)☒ Claim(s) *14-21 and 25* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to applicant's after final amendment filed on February 21, 2006. **Claims 1-54** are now pending in the present application.

2. The Art Unit designation of this application has been changed to Art Unit 2614. Please make this change in any future response.

Response to Amendment

3. Applicant's request for reconsideration of the last Office action is persuasive and, therefore, the finality of that action is withdrawn. A new non-final action follows below.

Allowable Subject Matter

4. Claims 1-8,9,10,32-39 are allowed.

5. Claims 14-21,25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 11-13,22-24,26-31,40-54 are rejected under 35 U.S.C. 102(e) as being anticipated by La Porta et al. US Patent 5,434,852.

Regarding claim 11, La Porta teaches an apparatus (fig. 5) comprising:

switch intelligence (call server 502 with connection server 505; col. 7, lines 26-40) configured to:

receive information associated with a call from a switch fabric, (col. 7, lines 59-61; call server invokes the services of the connection server to retrieve information from channel server (the channel server is associated with switch fabric or channel control)), wherein the switch intelligence is implemented in a separate network element from a network element implementing the switch fabric, (col. 2, lines 9-22,55-66),

execute a call state machine, the call state machine representing processing of the call as at least one call segment, (call server is able to establish modify and release calls as well as maintain call state), wherein the at least one call segment corresponds to a call half, (col. 7, lines 26-40; the call server processes part of the call and the rest of the servers and elements contribute to the other part of the processing of the call),

provide an association between the at least one call segment and at least one physical device associated with completing the call, (col. 7, lines 41-62; When the connection server has selected the routes it invokes the services of the channel servers to establish the connection), and

provide connection information to the switch fabric based on the association, (col. 7, line 59-col. 8, line 9).

Regarding claim 12, La Porta, as applied to claim 11, teaches wherein said network element implementing the switch intelligence is physically separated from said network element implementing the switch fabric and is coupled to the network element implementing the switch fabric via a communications network, (col. 2, lines 9-15; fig. 5).

Regarding claim 13, La Porta, as applied to claim 11, teaches wherein the network element implementing said switch intelligence is logically separated from the network element implementing said switch fabric, (col. 2, lines 9-15; fig. 5).

Regarding claim 22, La Porta teaches an apparatus (fig. 5) comprising:

a switch intelligence for providing control functions to at least one switch fabric, (col. 7, line 54-col. 8, line 1; the call server sends routing information to control the switch fabric), the switch intelligence comprising:

processing logic configured to:

receive information from the at least one switch fabric, the information including a facility related event associated with a call, (col. 7, lines 11-25; call server invokes the services of the connection server to retrieve information from channel server (the channel server is associated with switch fabric or channel control)),

process the received information, (col. 7, lines 41-56),

maintain call states for parties involved in the call, (col. 7, lines 26-40), and

provide connection information to the at least one switch fabric for completing the call, (col. 7, line 62-col. 8, line 3).

Regarding claim 23, La Porta, as applied to claim 22, teaches wherein said switch intelligence is one of logically separated or physically separated from said at least one switch fabric, (col. 2, lines 10-15), the processing logic being further configured to:

identify at least one point in the call where a telecommunications function is required, (col. 7, lines 41-54), and

send a request for the telecommunications function to a processor in response to

the identified at least one point in the call, (col. 7, lines 41-54).

Regarding claim 24, La Porta, as applied to claim 23, teaches a processor executing the telecommunications function in response to the request, (col. 7, lines 41-54).

Regarding claim 26, La Porta, as applied to claim 22, teaches wherein said switch intelligence provides control functions to a plurality of switch fabrics, (fig. 5).

Regarding claim 27, La Porta, as applied to claim 22, teaches wherein said switch intelligence further comprises at least one of a facility service, a call connection manager service or a call segment instance service, (fig. 5; col. 7, lines 41-66).

Regarding claim 28, La Porta, as applied to claim 27, teaches wherein said at least one of a facility service, a call connection manager service or a call segment instance service comprises a call segment instance service, the call segment instance service configured to maintain the call states for the parties involved in the call, (fig. 5; col. 7, lines 2-40).

Regarding claim 29, La Porta teaches an apparatus comprising:

means for receiving switch-fabric communication, (col. 7, lines 11-25,62-col. 8, line 9);

means for processing the switch-fabric communications, (col. 7, lines 11-25);

wherein the means for processing is configured to maintain call states for at least two parties involved in the call and generate connection information for completing the call, (col. 7, lines 26-40); and

means for translating the connection information into switch-fabric communications for use by a switch fabric, (col. 7, lines 11-17,41-66).

Regarding claim 30, La Porta teaches an apparatus, comprising:

means for translating switch-fabric communications (fig. 5) into communications defined according to a uniform switch-intelligence interface, (col. 7, lines 11-17);

means for processing the switch fabric communications, (col. 7, lines 11-25), the means for processing being configured to:

maintain call states for parties involved in a call in accordance with a call model and execute the call model to generate connection information for completing the call, (col. 2, lines 42-54; col. 7, lines 26-40); and

means for translating the communications defined according to the uniform switch-intelligence interface into switch-fabric communications, (col. 7, lines 11-25).

Regarding claim 31, La Porta, as applied to claim 30, teaches means for translating communications defined according to the uniform interface into switch-intelligence communications, (col. 7, lines 11-17); and

means for translating switch-intelligence communications into communications defined according to a uniform interface, (col. 7, lines 11-17).

Regarding claim 40, La Porta teaches an apparatus (fig. 5) comprising:

a switch intelligence network element for controlling a switch fabric network element wherein said switch intelligence network element (col. 5, lines 41-col. 8, line 1) comprises:

processing logic configured to:

receive information from the switch fabric network element associated with a call and perform call half processing for parties associated with the call, (col. 7, lines 11-25).

Regarding claim 41, La Porta, as applied to claim 40, teaches perform the call half processing in accordance with a call model, the call model representing at least one of an

Advanced Intelligent Network (AIN) call model, an International Telecommunications Union (ITU) call model or a call model created by a service provider, (col. 2, lines 42-66).

Regarding claim 42, La Porta, as applied to claim 40, teaches wherein said switch intelligence network element includes at least one of a first application programming interface communicable with a switch-fabric proxy service or a second application programming interface communicable with a feature processor that executes at least one telecommunications function, (col. 7, lines 18-40).

Regarding claim 43, La Porta, as applied to claim 40, teaches one application programming interface communicable between at least one of a facility service, a call connection manager service or a call segment instance service and another of said at least one of a facility service a call connection manager service or a call segment instance service, (fig. 5).

Regarding claim 44, La Porta teaches an apparatus comprising:

a feature processor for executing at least one telecommunications function, (fig. 5; col. 7, lines 11-40); and

switch intelligence (call server 502 with connection server 505; col. 7, lines 26-40) configured to:

receive data associated with a call, perform call half processing associated with parties to the call and provide connection information to an entity that received the call wherein the connection information identifies physical connections to complete the calls wherein the switch intelligence is implemented in at least one network element the at least one network element being a separate network element from the entity that received the call, (col. 2, lines 9-22,56-66; col. 7, line 41-col. 8, line 9).

Regarding claim 45, La Porta teaches an apparatus for controlling a switch fabric the apparatus being implemented in at least one network element -the at least one network element being separate from the switch fabric (col. 2, lines 9-22) the apparatus comprising:

logic for processing information received from the switch fabric in accordance with a call model, (col. 2, lines 44-66);

logic for performing call half processing for parties involved in the call in accordance with the call model, (col. 2, lines 44-col. 3, line 5); and

logic for forwarding connection information to the at least one switch fabric, (col. 7, line 41-col. 8, line 14).

Regarding claim 46, La Porta, as applied to claim 45, teaches interface logic including a first interface for communications between the apparatus and the switch fabric, (fig. 5).

Regarding claim 47, La Porta teaches an apparatus comprising:

a call completion device for providing bearer functions, said call completion device performing communications with a switch intelligence that is implemented in a separate network element from said call completion device, (col. 2, line 44-66; col. 7, lines 11-25), the call completion device being configured to:

forward a facility related event associated with a call to the switch intelligence, (col. 7, lines 11-25), and receive bearer connection information from the switch intelligence in accordance with a call model executed by the switch intelligence, (col. 7, lines 11-25).

Regarding claim 48, La Porta, as applied to claim 47, teaches wherein the switch intelligence comprises a call state model and wherein the call completion device communicates with the switch intelligence to affect a call state, (col. 2, lines 44-66).

Regarding claim 49, La Porta, as applied to claim 48, teaches wherein the call state is represented in the call state model, (col. 2, lines 44-66).

Regarding claim 50, La Porta, as applied to claim 47, teaches a switch fabric proxy service for providing an application programming interface for communications between the call completion device and the switch intelligence, (col. 7, lines 41-65).

Regarding claim 51, La Porta teaches an apparatus, comprising:

logic configured to receive information from an entity that received a request for making a call, (col. 7, lines 26-62);

logic configured to perform call half processing for a first party and a second party associated with the call, (col. 7, lines 41-66);

logic configured to generate connection information for the entity that received the request, (col. 7, lines 11-40); and

logic configured to forward the connection information to the entity that received the request, (col. 7, lines 48-66).

Regarding claim 52, La Porta, as applied to claim 51, teaches wherein the received information comprises facility related event information, (col. 7, lines 41-66).

Regarding claim 53, La Porta, as applied to claim 51, teaches wherein the apparatus is implemented in a network element that is separate from the entity that received the request, (col. 2, lines 9-22).

Regarding claim 54, La Porta, as applied to claim 51, teaches wherein the logic configured to perform call half processing maintains call states associated with completing the call in accordance with a call model, (col. 2, lines 43-66).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ching et al. US Patent 4,665,514 ; Oberlander et al. US Patent 4,713,806 ; Garberg et al. US Patent 5,822,727 and Kantola US Patent 5,878,128.

9. Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

or faxed to:

(571) 273-8300, (for formal communications intended for entry)

Or:

(571) 273-7537, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to:

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ovidio Escalante whose telephone number is 571-272-7537. The examiner can normally be reached on M-Th from 6:30AM to 4:00PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan S Tsang can be reached on 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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PATENT EXAMINER

Ovidio Escalante

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May 19, 2006

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